

LEGISLATIVE, RULES & GOVERNMENTAL OPERATIONS COMMITTEE

LEGISLATIVE AGENDA

DECEMBER 5, 2025

***Committee Members: Supervisors Strough, Conover, Wild, Driscoll, Maday, Geraci and Thomas
Chair of the Board shall serve as an Ex-Officio member when needed in accordance
with Section C(4) of the Rules of the Board***

- I. Committee meeting called to order by Committee Chair
- II. Approval of minutes of prior Committee meeting - *October 30, 2025*
- III. Privilege of the Floor/Public Comment
- IV. Action Agenda/New Business Items: None.
- V. Discussion Items: None.
- VI. Referrals/Pending Items:
 - 1) The County Attorney informed there was an existing State Law prohibiting the sale of nitrous oxide for recreational purposes under Public Health Law Section 3380(5) which included penalties. It was also noted the punishment for use was prevented due to the inability of laboratories to test for nitrous oxide. The consensus of the Committee was for the Sheriff and District Attorney to either attend the next Committee meeting to speak on the difficulties of imposing the existing law and data on the topic or provide a written summary on same. (10.30.25)
 - 2) With regard to sex offenders not being required to register for short-term rentals, the County Administrator will research if other Counties in New York had adopted a resolution encouraging the State Legislature to change State law under the Corrections Law regarding registration and notification of sex offenders. (10.30.25)
- VII. Privilege of the Floor to discuss any additional items to come before the Committee
- VIII. Motion to adjourn

*Attachments: 1) 2022 NYSAC Fall Seminar Standing Committee on Public Safety Resolution #7, "Resolution Encouraging the State Legislature and Governor to Enact Legislation to Require Reporting of Sex Offenders in Short Term Rentals" (Discussion Item 2)
2) Proposed Assembly Bill A3179 "An Act to Amend the Correction Law and the General Business Law in Relation to Requiring Nonresident Visitor Sex Offenders and Registered Sex Offenders Register when Temporarily Residing with the State" (Discussion Item 2)*

1 **2022 NYSAC Fall Seminar**
2 **Standing Committee on Public Safety**
3 **Resolution #7**
4

5 **Resolution Encouraging the State Legislature and Governor to Enact**
6 **Legislation to Require Reporting of Sex Offenders in Short Term Rentals**
7

8 **WHEREAS**, *Megan's Law* is named after seven-year-old Megan Kanka, a New Jersey
9 girl raped and killed by a known registered sex offender who had moved across the
10 street from the family without their knowledge; and

11
12 **WHEREAS**, in the wake of the tragedy, the Kankas sought to have local communities
13 warned about sex offenders in the area; and

14
15 **WHEREAS**, all states now have a form of *Megan's Law*; and

16
17 **WHEREAS**, New York State's version of *Megan's Law*, named The Sex Offender
18 Registration Act (SORA), was signed by Governor Pataki in July 1995; and

19
20 **WHEREAS**, in May 1996, Congress amended the Violent Crime Control and Law
21 Enforcement Act of 1994 to require the release of relevant information to protect the
22 public from sexually violent offenders; and

23
24 **WHEREAS**, on May 17, 1996, President Clinton signed this federal version of *Megan's*
25 *Law*, which mandated uniform sex offender registration in all 50 states, providing for
26 community notification by allowing states to disclose information about registered sex
27 offenders; and

28
29 **WHEREAS**, in 2006, the State of New York strengthened NY's Megan's Law to require
30 Level 1 offenders (low risk) to register for 20 years, unless they have a designation (e.g.
31 sexual predator, sexually violent offender, or predicate sex offender), in which case they
32 must register for life, and Level 2 offenders (moderate risk) and Level 3 offenders (high
33 risk) must register for life; and

34
35 **WHEREAS**, over the past five years, the popularity of short-term rentals (STRs), like
36 AirBNB, VRBO, and other STR platforms has dramatically increased across the nation
37 and state; and

38
39 **WHEREAS**, many states, including Texas and Florida, are considering legislation to
40 authorize municipalities to enact local laws to ban sex offenders or restrict sex offender
41 activity with respect to STRs; and

42
43 **WHEREAS**, state law governing sexual predators from using STRs has not moved fast
44 enough with the change in how people decide to vacation; and

45
46 **WHEREAS**, parents have the right to know who their neighbors are and should feel
47 comfortable letting their children play safely outdoors on their own property.

1 **NOW, THEREFORE, BE IT RESOLVED**, the New York State Association of
2 Counties (NYSAC) encourages the Governor and State Legislature to enact legislation
3 that would:

- Require any registered sex offender staying at a short-term rental in a residential neighborhood to inform the STR host owner, and/or managing company 48 hours before arriving on the premises.
 - The STR host, owner and/or managing company should be required to inform local police, as well as any neighbor within 1,000 feet of that STR
 - Failure to do so would result in immediate imprisonment for the registered offender and a \$10,000 fine, respectively for the STR host, owner, and/or managing company.
- Prohibit sex offenders from acting as hosts, property managers, or owners of str.
- Prohibit sex offenders from being an on-site employee of the STR.
- Require this information to be included as part of the state's sex offender registry or local registry.

4
5 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties
6 of New York State encouraging member counties to enact similar resolutions; and

7
8 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to
9 the Governor of the State of New York, the New York State Legislature, and all others
10 deemed necessary and proper.

STATE OF NEW YORK

3179

2025-2026 Regular Sessions

IN ASSEMBLY

January 23, 2025

Introduced by M. of A. SIMPSON, BENDETT, DeSTEFANO, GIBBS, HAWLEY,
LEMONDES -- read once and referred to the Committee on Correction

AN ACT to amend the correction law and the general business law, in
relation to requiring nonresident visitor sex offenders and registered
sex offenders register when temporarily residing within the state

The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:

1 Section 1. Section 168-a of the correction law is amended by adding a
2 new subdivision 19 to read as follows:

3 19. "Nonresident visitor" or "nonresident visitor sex offender" means
4 any person required to register as a sex offender in another jurisdic-
5 tion who is temporarily residing within the state, following the process
6 set forth by such other jurisdiction, regardless of the length of stay
7 of such person.

8 § 2. Subdivision 6 of section 168-f of the correction law, as added by
9 chapter 11 of the laws of 2002, is amended to read as follows:

10 6. (a) Any nonresident worker [~~or~~], nonresident student or nonresident
11 visitor, as defined in subdivisions fourteen [~~and~~], fifteen and nineteen
12 of section one hundred sixty-eight-a of this article, shall register
13 [~~his or her~~] their current address and the address of [~~his or her~~] their
14 place of employment [~~or~~], educational institution attended or the
15 address of their temporary residence and length of stay at such resi-
16 dence with the division within ten calendar days after such nonresident
17 worker [~~or~~], nonresident student or nonresident visitor commences
18 employment [~~or~~], attendance at an educational institution or stay at a
19 temporary residence in the state. Any nonresident worker [~~or~~], nonresi-
20 dent student or nonresident visitor shall notify the division of any
21 change of residence, employment or educational institution address no
22 later than ten days after such change. The division shall notify the law
23 enforcement agency where the nonresident worker is employed [~~or~~], the
24 educational institution is located that a nonresident worker or nonresi-

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 dent student is present or the address of the temporary residence and
2 the length of stay at such residence in that agency's jurisdiction.

3 (b) Any sex offender shall register with the division no later than
4 ten calendar days prior to having a temporary residence, regardless of
5 the length of stay at such temporary residence, and shall inform the
6 division of the address of such temporary residence and the length of
7 such stay. Any failure or omission to submit the required fee shall not
8 affect the acceptance by the division of the change of address or change
9 of status.

10 (c) Any nonresident visitor sex offender or sex offender staying at a
11 temporary residence shall inform the owner of the temporary residence if
12 not a short-term rental unit or the short-term rental host or the host-
13 ing platform, as such terms are defined in section three hundred nine-
14 ty-eight-g of the general business law, of such person's status as a
15 nonresident visitor sex offender or sex offender no later than ten days
16 before their stay at a temporary residence.

17 § 3. The general business law is amended by adding a new section 398-g
18 to read as follows:

19 § 398-g. Sex offender stays in short-term rental units. 1. For the
20 purposes of this section, the following terms shall have the following
21 meanings:

22 (a) "Residential dwelling" means any building or structure or portion
23 thereof which is occupied in whole or in part as the home or residence.

24 (b) "Short-term rental unit" means an entire residential dwelling, or
25 a room, group of rooms, other living or sleeping space, or any other
26 space within a residential dwelling, made available for rent by guests
27 for less than thirty consecutive days.

28 (c) "Short-term rental host" means an owner or tenant of a short-term
29 rental unit who rents such unit to guests.

30 (d) "Hosting platform" means a person or entity who, pursuant to an
31 agreement with a short-term rental host:

32 (i) provides a platform for compensation through which unaffiliated
33 third-party short-term rental hosts can offer to rent short-term rental
34 units; and

35 (ii) collects a fee in connection with either:

36 (A) providing the forum in which, or by means of which, the offer of
37 occupancy of a short-term rental unit is accepted; or

38 (B) providing the forum in which a short-term rental host can list or
39 advertise space in a short-term rental unit.

40 For the purposes of this section, the term "sex offender" shall mean a
41 person designated as a level two or level three sex offender as defined
42 in section one hundred sixty-eight-a of the correction law.

43 2. Every internet advertisement or online posting of a short-term
44 rental unit shall prominently display the complete physical street
45 address of the vacation rental along with a link to the website created
46 by the respective local sheriff jurisdiction, or the division of crimi-
47 nal justice services sex offender registry, pursuant to article six-C of
48 the correction law, to notify the public of any information regarding
49 sex offenders. Such advertisement or posting shall prominently display a
50 link to state sex offender registry laws, and state "Every sexual offen-
51 der and sexual predator intending to stay at the location in New York is
52 required by New York State law to register in accordance with the law".

53 3. A short-term rental host or hosting platform shall notify all prop-
54 erty owners within one thousand feet of the rented property at least
55 twenty-four hours prior to the arrival of a sex offender or a nonresi-
56 dent visitor sex offender, as such term is defined in section one

1 hundred sixty-eight-a of the correction law, and inform such property
2 owners of the length of the stay of such sex offender or nonresident
3 visitor sex offender.

4 4. A violation of this section may result in a fine, suspension, or
5 revocation of a rental license, where applicable.

6 § 4. This act shall take effect on the first of November next succeed-
7 ing the date on which it shall have become a law. Effective immediately,
8 the addition, amendment and/or repeal of any rule or regulation neces-
9 sary for the implementation of this act on its effective date are
10 authorized to be made and completed on or before such effective date.